The United Nations Conference on International Organization

JOURNAL

NUMBER 24 SAN FRANCISCO, CALIFORNIA MAY 22, 1945

ORDER OF THE DAY

May 22, 1945

Committee	Time	Room
Subcommittee II/3/A	9:45 a.m.	316 Veterans Building
Subcommittee I/1/A	10:30 a.m.	311 Veterans Building
Subcommittee II/2/B	10:30 a.m.	308 Veterans Building
Committee II/4	10:30 a.m.	223 Veterans Building
Committee IV/1	10:30 a.m.	202 Veterans Building
Committee II/1	3:30 p.m.	303 Veterans Building
Committee III/1	3:30 p.m.	223 Veterans Building
Committee IV/2	3:30 p.m.	202 Veterans Building
Coordination Committee	5:30 p.m.	418 Opera House
Subcommittee III/4/A	5:30 p.m.	308 Veterans Building
Committee II/3	8:30 p.m.	223 Veterans Building
Committee III/2	8:30 p.m.	202 Veterans Building

These meetings will not be open to the public.

TECHNICAL COMMITTEES

Committee II/1, on May 21, considered first the question of voting rights in the Assembly (Chapter V, Section C, paragraph 1, of the Dumbarton Oaks Proposals.) In discussing this question the Committee considered the following two proposals:

1. "Should the Charter provide that no member of the Organization to which acts of aggression have been attributed shall vote in its own case in the Assembly? (This is the substance of an amendment proposed by the Costa Rican Delegation).

2. "Should the parties to a dispute being considered by the Assembly abstain from voting?" (This is proposed by the Chilean Delegation and by the Venezuelan Delegation).

Neither proposal was accepted because it was felt that they dealt with the question of security which was not within the competence of the Assembly to determine.

The Committee next considered Section C, paragraph 2, concerning required voting majorities in the General Assembly. The Committee unanimously approved the following portion of the text of the Dumbarton Oaks Proposals:

"Important decisions of the General Assembly, including recommendations with respect to the maintenance of international peace and security; election of members of the Security Council; election of members of the Economic and Social Council; admission of members, suspension of the exercise of the rights and privileges of members . . . and budgetary questions should be made by a two-thirds majority of those present and voting."

The proposals of the Dominican Republic and Mexico that important questions should be decided by a greater number than two-thirds were not accepted (the latter proposed a three-quarters majority) because of the unanimous approval of the two-thirds principle.

The discussion on the question of the majority to be required for expulsion of members was postponed pending a decision as to whether the Assembly is to have authority to expel members.

Several members of the Committee raised the question of adding to the authority of the General Assembly the power to restore the rights of suspended members. This matter was referred to Committee II/2 which deals with questions of the authority of the General Assembly.

At the meeting of Committee II/3, on May 21, the Representative of the United States asked for a reconsideration of some points of the statement of economic and social purposes approved by the Committee at its last meeting. After discussion the Chairman asked the United States Representative to present at the Tuesday meeting (May 22) a specific proposal for a change which might help the Committee decide whether to reopen consideration of the statement of purposes. The Committee then had a general discussion of proposals for amending Chapter IX, Section B, on composition and voting of the Economic and Social Council.

The Committee received a report from the drafting subcommittee on Chapter IX, Section C, which will be considered at the next meeting.

Committee III/1, on May 21, continued the general discussion of Section C, Chapter VI, of the Dumbarton Oaks Proposals, on the subject of voting in the Security Council. At its next meeting, the Committee will examine the text of Section C, Chapter VI, and the amendments proposed thereto.

At the meeting of Committee III/2, on May 21, the Delegate of Belgium agreed to withdraw his Government's proposed amendment to paragraph 4 of Chapter VIII, Section A, regarding "infringement of essential rights", upon assurance that the recommendations of the Security Council are advisory and not compulsory (Doc. 2, G/7 (k) (1), p. 2).

The Delegate of Costa Rica withdrew his Government's proposed amendment to paragraph 4 of Chapter VIII, Section A (Doc. 2, G/7 (h) (1), p. 2).

The Committee agreed to send to the Coordination Committee the proposed amendment of the Government of Iran to paragraph 4 of Chapter VIII, Section A (Doc. 2, G/14 (m), p. 3).

The Committee decided to adjourn discussion of the Venezuelan proposal to amend Chapter IV until the decision of Committee IV/1, which is considering a similar proposal, is known (Doc. 2, G/7 (d) (1), p. 22).

Committee IV/2, on May 21, discussed the problem of reconsideration (revision) of treaties and decided to postpone further discussion on this matter, which is equally before Committee II/1.

LIST OF CONFERENCE DELEGATES AND OFFICIALS

The following additions and corrections in the booklet entitled *Officers of the Conference, Committees and Commissions of the Conference, Members of the Delegations, Officers of the Secretariat*, Doc. 49, G/3/(1), have been received since publication of a list of changes in *Journal* Nos. 19 and 21:

p. 12, add, under *Attaches*: "Martin Luis Drago, Jorge Fernandez Barrio".

p. 21, insert, after "Julio Escudero", the following: "*Technical Delegates*: Vice Admiral Don Emilio Daroch, head of the Chilean Naval Commission, Washington; Colonel Don Ernesto Medina, Military Attaché, Chilean Embassy, Washington"

p. 31, insert under *Experts*, following Anis Bey Azer: "Mahmoud Bey Abul Fath, Senator (Press Attaché); Fikry Bey Abaza, Representative (Press Delegate)"

p. 32, delete lines 7 and 8

p. 32, ninth line from bottom should read: "Press Attaché"

p. 32, delete eighth line from bottom

p. 34, add, under *Assistant Delegates*: "Maurice Dejean, Minister Plenipotentiary, Director General of Political Affairs, Ministry of Foreign Affairs"

p. 49, add, following last line on page: *Assistant Secretary*: Julio C. Quirtana, Consul General, Los Angeles

p. 50, delete lines 9 and 10

DOCUMENTARY FILMS

On Tuesday, May 22, in the Conference Theater at the Sir Francis Drake Hotel, films concerning the United Nations will be shown from 7 p. m. to midnight continuously.

The films to be presented are *United Nations* (Office of War Information), *Twenty-seven Soldiers* (U. S. War Department), and *Global Air Routes* (Canadian Film Board). The program will also include a premiere of selected Conference films, provided by the American motion picture industry.

The showings are open to all persons accredited to the Conference.

LIST OF DOCUMENTS

The list of documents issued May 19, 1945, is Document 470. The list of documents issued May 20 is Document 475.

The United Nations Conference on International Organization

JOURNAL

NUMBER 25 SAN FRANCISCO, CALIFORNIA MAY 23, 1945

ORDER OF THE DAY

May 23, 1945

Committee	Time	Room
Subcommittee III/2/B	9:30 a.m.	219 Veterans Building
Subcommittee II/1/A	10:30 a.m.	311 Veterans Building
Subcommittee II/3/A	10:30 a.m.	316 Veterans Building
Committee I/2	10:30 a.m.	303 Veterans Building
Committee II/2	10:30 a.m.	202 Veterans Building
Committee III/3	10:30 a.m.	223 Veterans Building
Subcommittee II/2/B	2:30 p.m.	308 Veterans Building
Subcommittee III/2/C	2:30 p.m.	219 Veterans Building
Subcommittee I/1/A	3:00 p.m.	316 Veterans Building
Committee II/4	3:30 p.m.	223 Veterans Building
Committee III/4	3:30 p.m.	303 Veterans Building
Committee IV/1	3:30 p.m.	202 Veterans Building
Coordination Committee	5:30 p.m.	418 Opera House
Committee III/1	8:30 p.m.	223 Veterans Building
Committee IV/2	8:30 p.m.	202 Veterans Building

These meetings will not be open to the public.

TECHNICAL COMMITTEES

Committee I/2, on May 21, examined the question of withdrawal from the International Organization, which, together with the questions of suspension and expulsion, had been deferred from the earlier discussion on Chapter III concerning membership. A subcommittee was established for the purpose of studying this subject and reporting upon it to the Committee.

The Committee resumed its discussion of Chapter X on the Secretariat. The Committee considered its responsibilities on this chapter and its relationship to Committees II/1 and III/1 which have also been discussing certain phases of the Secretariat.

Committee II/2, on May 21, discussed questions of principle which had been framed by Subcommittee A in regard to a number of amendments which have been proposed to Chapter V, Section B, paragraph 6. (The two paragraphs proposed by the four sponsoring governments in amendment to paragraph 6 have already been approved by Committee II/2. The present discussion relates to other proposed amendments.)

It was agreed that the Assembly be empowered to initiate studies and make recommendations for the codification of international law and for promoting the revision of the rules and principles of international law.

The Committee decided that the Assembly should not be authorized to enact rules of international law which would become binding upon members after such rules have been approved by the Security Council.

The Committee also voted in the negative on the following question: Should it be provided that upon the failure of the Security Council to act on such rules within a period specified in the Charter, they should become effective and binding, in the same manner as if they had been approved by the Security Council?

On a group of questions relating to the power

of the Assembly to recommend the reconsideration of treaties which may have become inapplicable, the Committee decided to ask the Steering Committee for a ruling on the question of which technical committee should take jurisdiction of this problem.

At its next meeting the Committee will continue its discussion of proposals relating to paragraph 6 of Chapter V, Section B, and later pass to paragraph 8, which is the last of the paragraphs within the terms of reference of the Committee. The principles involved in paragraph 1 have already been considered and voted on, and a drafting subcommittee is now preparing an exact text which will be reported back to Committee II/2.

Committee III/3, on May 21, continued debate on the question of including a definition of aggression or a list of aggressive acts in the Charter.

A motion that the Charter should contain a more explicit reference to acts of aggression, and particularly to those upon the occurrence of which the Council should act immediately, failed of approval by the Committee.

Committee II/1, on May 22, considered the following questions of principle with the following results:

The Committee recommended by unanimous vote that the General Assembly should decide by a simple majority vote those questions which are not specifically mentioned in the Charter as requiring a two-thirds majority or other special majority. This includes the right of the Assembly to determine by a simple majority additional categories of questions to be decided by a two-thirds majority.

It was proposed that to the list of important questions to be decided by a two-thirds majority of the Assembly should be added the election of the Secretary General of the Organization. This proposal was defeated.

After discussing the various methods by which the General Assembly might be convened in special session, the Committee approved the provision contained in the Dumbarton Oaks text which provides that the General Assembly should meet in regular annual session and in such special sessions as occasion may require. It added to this a new provision specifying the following method for convening such special sessions:

"The General Assembly should be convened in special session at the request of the Security Council or at the request of a simple majority of the members of the Organization addressed to the Secretary General."

This proposal was worked out in a general discussion and was carried unanimously.

A Brazilian amendment providing that the General Assembly should meet every five years to revise the Charter was briefly discussed and referred to the competent Committee (II/2).

The Committee discussed and rejected a Brazilian proposal that it should be stipulated in the Charter that the General Assembly of the Organization should have the same permanent headquarters as the Security Council and the Secretariat, with the right to meet in another place if so desired.

The Committee approved unanimously, with thirty voting, the Dumbarton Oaks Proposals that the Charter should specify that the General Assembly adopt its own rules of procedure and elect its President for each session. Prior to the adoption of this provision an Australian amendment providing that the words "for each session" be deleted and replaced by the words "who shall hold office until successor is appointed" was defeated.

The Committee approved unanimously the Dumbarton Oaks Proposals that the General Assembly should be empowered to set up such bodies and agencies as it may deem necessary for the performance of its functions.

Committee II/4, on May 22, continued discussion of the working paper (Doc. 323, II/4/12). An amendment proposed by the Delegate of Egypt to paragraph B.3 of the working document was defeated after discussion.

The Delegate for Guatemala moved the addition of the following sentence to the end of paragraph B.3 (c), after the word "administration":

"The Trusteeship system shall not be applied to territories in dispute, concerning which there is pending any question, claim, controversy, or litigation between states members of the International Organization".

The proposal was supported on the ground that the system should protect the rights of third parties. Its opponents maintained that this protection was already afforded by paragraph B.4 and B.5. The amendment would also, if adopted, leave the way open for the removal from the trusteeship system of any territory over which a dispute might arise in the future.

Discussion of this amendment was adjourned until the next meeting at 3:30 p. m. on May 23.

Committee III/1, on May 22, began consideration of Chapter VI, Section D, of the Dumbarton Oaks Proposals, and unanimously approved paragraph 1, paragraph 2 as amended by the sponsoring governments, and paragraph 3.

Discussion of paragraph 4 was postponed, pending action on the matter by a subcommittee.

Paragraph 5, as amended by the sponsoring governments, was accepted as a basis for discussion.

Other amendments were referred to a subcommittee.

Committee IV/1, on May 22, took up the report of its Subcommittee A, and unanimously approved the draft articles contained therein providing for the establishment of a new Court.

These texts include the first three paragraphs of Chapter VII of the proposed Charter. The first paragraph states that a tribunal shall be established as the principal judicial organ of the United Nations, to be known as The International Court of Justice. The second paragraph provides that the Court shall be established and shall function in accordance with a statute to be annexed to form an integral part of the Charter. The drafting of this statute has formed the principal work of this Committee to this time. The third paragraph then provides that nothing in the Charter shall prevent the parties from taking their disputes to other tribunals if they desire.

The Committee also unanimously approved drafts for Articles 1 and 37 of the proposed statute. Article 1 provides that the Court established by Chapter VII of the Charter shall function in accordance with the provisions of the statute which follow.

Article 37 provides that treaties calling for reference of disputes to a Court to be instituted by the United Nations shall be referred to this Court. It also provides that parties to the present agreements who are bound by existing treaties to refer disputes to the former Permanent Court, shall refer such disputes in the future to the new Court.

Committee IV/2, on May 22, discussed the relation of international law and the Charter to internal law. A proposal was made to insert in the Charter a provision that no member can evade the obligations under the Charter by invoking its internal law. There was no objection to the principle underlying this proposal. However, many delegates felt that the inclusion in the Charter of a principle of international law was unnecessary and would make of the Charter an instrument of codification. The matter was referred to Subcommittee IV/2 A.

SEATING AT COMMISSION AND PLENARY MEETINGS IN THE OPERA HOUSE

The attention of the delegations is respectfully called to the notice published in *Journal* No. 11, May 7, 1945, announcing the cancelation of plenary session tickets No. 10; and to the Notice in *Journal* No. 20, May 17, 1945, indicating that it had been found impracticable to use permanent tickets for Commission meetings, and stating that theater tickets would henceforth be issued for this purpose.

All blue-gray *permanent* tickets originally issued to delegates, officials of delegations, and other persons for attendance at plenary sessions have been canceled.

Instead, theater tickets will be issued for Commission and future plenary sessions. The Commission tickets will bear the lettered series "B", "C", "D", et cetera; while the plenary tickets will bear the numbered series "9", "10", "11", "12", "13", et cetera.

The theater tickets, bearing the letter-indication of the Commission meeting or the number-indication of the plenary session will be furnished to the delegations in block allotments by the Special Assistants on Delegation Liaison.

Tickets for Commission members in the forward part of the orchestra will henceforth be orange in color and will be overstamped "Commission Member". This will distinguish them clearly from the blue tickets issued to delegates and other persons who are not Commission members but are entitled to seats in the orchestra.

Every attempt will continue to be made to provide the delegations with as many guest tickets as possible. However, in view of the limited number of tickets available, the cooperation of the delegations is requested to insure economy in their use. It is therefore urged that when it is found that a portion of the *blue* tickets will not be used by delegates or delegation officials, these be applied to delegation guests wherever feasible. However, the orange tickets should not be used for guests.

It is requested that unused guest tickets be returned as early as possible to the respective Special Assistants to the Secretary General on Delegation Liaison in order that they may be delivered for guest use to other delegations having a heavier demand.

DOCUMENTARY FILMS

Films of Great Britain will be shown in the Conference Theater at the Sir Francis Drake Hotel today, May 23, from 7 p. m. until midnight.

The program includes two new British documentaries on reconstruction and other post-war problems, *The Second Freedom* and *Stricken Peninsula*, two films of wartime Britain, *V-1* and *Lili Marlene;* and *John Bull's Own Island*, produced by the National Film Board of Canada. The latter film has not previously been shown in the United States.

The showings are open to all persons accredited to the Conference.

LIST OF DOCUMENTS

The list of documents issued May 21 is Document 506.

UNITED NATIONS THEATER

260 O'Farrell Street
(Between Powell and Mason)

Wednesday, May 23
8:45 only

8:45 p. m. Newsreel

9:05 p. m. *The Corn is Green* (Studio preview) Bette Davis in the Warner Bros. drama of a Welsh schoolmistress

11:00 p. m. Repeat showing of Newsreel

Admission free to persons holding Conference credentials, including delegation staffs, Secretariat staffs, and members of the press

The United Nations Conference on International Organization

JOURNAL

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ORDER OF THE DAY
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I/1/A	10:30 a.m.	316
II/2/B	10:30 a.m.	308
II/3	10:30 a.m.	223
IV/2/A	10:30 a.m.	311
II/3/A	3:00 p.m.	316
I/2	3:30 p.m.	303
II/2	3:30 p.m.	202
III/3	3:30 p.m.	223 (Opera H.)
Coordination Com.	5:30 p.m.	418 (Vet. Bldg.)
II/4	8:30 p.m.	223
IV/1	8:30 p.m.	202

These meetings will not be open to the public.

TECHNICAL COMMITTEES

Committee II/3, on May 22, voted unanimously to accede to the request of the United States to reconsider the draft of Chapter IX, Section A, paragraph 1, which had been approved by the Committee. Upon reconsideration the United States proposal to include educational cooperation among the objectives of the Organization was approved unanimously. The second United States proposal to avoid language which the United States Delegation thought might imply that the Organization would interfere in the domestic affairs of a member country was discussed at length. It was argued by some delegations that ample protection was given by the sponsoring governments' amendment to Chapter II. The meeting concluded without a decision on this question.

Committee III/2, on May 22, considered paragraphs 5 and 6, Chapter VIII, Section A, of the Dumbarton Oaks Proposals. Paragraph 5, together with an amendment proposed by the Turkish Delegation, was referred to the subcommittee on drafting.

Consideration of the first sentence of paragraph 6 was postponed until the conclusion of the discussion of the subject of compulsory jurisdiction in Committee IV/1. The second sentence of paragraph 6, concerning advisory opinions, was referred to Committee IV/1 for its consideration. Committee III/2 will reconsider this sentence if it deems such action desirable at a later time.

Committee I/2, on May 23, approved a report of the special subcommittee which recommended that no clause on withdrawal be inserted in the Charter.

The Committee took up the questions of the election, term of office, and eligibility for re-election of the Secretary General. In view of the decision reached in Committee II/1 on the problem of election, Committee I/2 agreed to forego, without approving the decision of Committee II/1, further discussion and separate decision on this subject. A motion to forego discussion on the term of office was withdrawn after considerable debate of the scope and intention of the motion.

Committee II/2, on May 23, continued its discussion of paragraph 6, Section B, Chapter V, of the Dumbarton Oaks Proposals, on the basis of the questions of principle formulated in the second report of Subcommittee A. The Committee decided in the negative the question whether the Assembly should be authorized to initiate studies and make recommendations for the purpose of preventing economic aggression. The question whether the Assembly should have sovereign competence to interpret the Charter was referred to Committee IV/2 for an opinion on the general problem of interpretation. The Committee then proceeded to consider the Assembly's powers to initiate and submit general conventions to member states for ratification by the appropriate constitutional procedures, and adjourned without reaching a decision.

At the meeting of Committee II/4, on May 23, the Delegate of Guatemala spoke for the amendment he had presented at the previous meeting, to

exclude from trusteeship any territory which was subject to dispute or litigation between members of the United Nations. The amendment was rejected by the Committee, which then adopted paragraph B, 3, as it stood.

Paragraph B, 4, was adopted with the inclusion of the following words, after "states directly concerned" in line 3: "including the mandatory power in the case of territories held under mandate by one of the United Nations."

Two amendments to paragraph B, 5, were then adopted: (1) To insert after "arrangements" in line 2 the words "made under paragraph 4 and 6"; (2) To substitute a comma for the final period of the paragraph, and end with the words "or the terms of any mandate". The adoption of these changes was without prejudice to a motion by the Delegate of Egypt, who wished the Committee to delete the first part of the paragraph, down to the word "system" in line 3, and to amend the second part to read as follows: "Nothing in this Chapter should be construed, in and of itself, to alter in any manner the rights of the people of any territory, or the terms of any mandate".

After some discussion, the Committee decided to postpone a vote upon this proposal until informal discussions had taken place between the delegations primarily interested. It was also decided to postpone for the time being discussion of paragraph B, 6.

Paragraph B, 7, was approved with the addition of the following words at the end: "without prejudice to any special agreements made under Chapter VIII, Section B, paragraph 5".

The Committee then considered a proposal to substitute in paragraph B, 8, the word "should" for "may" at the end of line 6. This amendment was also moved by the Delegate of Egypt and was referred to informal consultation, a vote being postponed meanwhile.

The Committee appointed a drafting subcommittee, consisting of 12 members and the Secretary, to which the amended text of the working paper would be referred, subject to the Committee's right to a final vote on the text presented by the subcommittee.

Committee III/3, on May 23, discussed amendments concerning special measures to be taken by the Security Council prior to the application of sanctions and amendments concerning economic and other non-military sanctions. The Committee agreed to postpone until May 25 discussion of the redraft of paragraphs 1 and 2 of Section B, Chapter VIII, prepared by Subcommittee III/3 B.

At its fourth session, May 23, Committee III/4 had under discussion the report of the Rapporteur of Subcommittee III/4 A, which embraced the amendments to Chapter VIII, Section C, proposed by the Delegation of the United States after consultation with the other sponsoring governments and France.

The Committee approved the first amendment which provided for adding to the methods of peaceful settlement set forth in Chapter VIII, Section A, paragraph 3, "resort to regional agencies or arrangements".

The Committee also approved a second amendment establishing a new paragraph relating to the inherent right of individual or collective self-defense, with the understanding that the amendment would be referred for final decision to the Coordination Committee with, however, a recommendation that it constitutes a new Section D of Chapter VIII.

The Committee adopted a third amendment to Chapter VIII, Section C, providing that states which are members of regional organizations or agencies should make every effort to achieve peaceful settlement of local disputes through such agencies before referring them to the Security Council.

The Committee further agreed to maintain paragraph 3 of Chapter VIII, Section C, in the original form. Other paragraphs of Section C are under discussion.

Committee IV/1, on May 23, adopted two additional articles of the draft Statute for an International Court of Justice submitted by the United Nations Committee of Jurists.

The Committee approved in principle its subcommittee's redraft of Article 8, and referred it, along with Articles 9, 10, 11, and 12, back to the drafting subcommittee for further study. Articles 9 and 11 have previously been approved by the Committee. The subcommittee is composed of representatives of Canada, Mexico, New Zealand, Belgium, and the Soviet Union.

Article 8, concerning which there was considerable discussion by various delegates, provides that members of the Court shall be elected by the General Assembly and the Security Council, acting independently of each other; that elections shall be by absolute majority, and that no distinction shall be made in voting in the Security Council as between permanent and non-permanent members. The principles of this article were unanimously approved.

The Committee also approved Article 14 of the Jurist Report providing for the calling of elections to fill vacancies as they occur.

Also approved by a unanimous vote was article 18, which provides that a judge may be removed

if, in the opinion of all the other members of the Court, he has ceased to fulfil the required conditions.

The Committee discussed Article 19, concerning diplomatic immunity of Court members and attachés, but no action was taken.

TRANSPORTATION INFORMATION

The Conference Transportation Office desires pertinent information on return rail requirements of all accredited members to the Conference *not later than June* 1, 1945. Presently, plans are underway to set up special trains via the following return routings:

POSTCON

Southern Pacific to Ogden; Union Pacific to Council Bluffs; Chicago and Northwestern to Chicago; Baltimore and Ohio to Washington, D. C. (Approximately 80 hours elapsed time.)

THE ATLANTIC

Western Pacific to Salt Lake City; Denver and Rio Grande Western to Denver; Chicago, Burlington, and Quincy to Chicago; New York Central to New York. (Approximately 87 hours elapsed time.)

THE DISTRICT

Southern Pacific to Los Angeles; Southern Pacific to Santa Rosa; Chicago, Rock Island, and Pacific to Kansas City; Missouri Pacific to St. Louis; Chesapeake and Ohio to Washington, D. C. (Approximately 98 hours elapsed time.)

THE GOLDEN GATE

Atchison, Topeka, and Santa Fe to Chicago; Pennsylvania Railroad to Washington and New York. (Approximately 91 hours elapsed time.)

THE VICTORY

Southern Pacific to Portland; Great Northern to Seattle; Great Northern to St. Paul; Chicago, Burlington, and Quincy to Chicago; Pennsylvania Railroad to Washington and New York. (Approximately 95 hours elapsed time.)

USCIO

Western Pacific to Salt Lake City; Union Pacific to Omaha; Chicago, Milwaukee, St. Paul, and Pacific to Chicago; New York Central to New York or alternate destination. (Approximately 96 hours elapsed time.)

These routings of special trains depend on the information received by the Transportation Office by June 1, at which time all listed routings will be used unless a preponderance of information received indicates that it is necessary to run extra sections over the same routing to meet the demands.

The special trains will leave San Francisco beginning X-Day, Plus 1, and their departure will be scheduled consistent with railroad operating conditions. In no case, however, will the last special train leave San Francisco later than X-Day, Plus 2. Train departures will be in the afternoon or evening.

In view of the lack of Pullman equipment it is essential that the utmost utilization be made of Pullman space, and no compartments or drawing rooms will be assigned for single occupancy.

Questionnaires adequate to furnish the Transportation Office with the required information have been circulated. An additional supply of questionnaires is available at the Transportation Office upon request.

Previous questionnaires have provided essential information with respect to return travel of the Secretariat.

AIR TRAVEL FROM SAN FRANCISCO

Wartime requirements make it necessary to restrict the granting of air priorities to persons whose missions are considered to be of extreme urgency. The granting of an air priority for travel to San Francisco cannot be considered sufficient justification for priority to return. In regard to those cases where priority for return is granted, the same regulations which governed travel to San Francisco will prevail. Each official member of a delegation will be allowed a total of 100 lbs. of baggage. This will include papers, documents, and personal effects. The wife of the chairman of each delegation is entitled to priority, but priority cannot be granted to the wives of any other members of the delegation. Non-priority space is limited and persons desiring to travel by air without priority should make their reservations in advance. Each delegation should submit to the Transportation Office detailed information regarding the travel plans of the delegation in order that appropriate arrangements can be made.

Telephone: DOuglas 4618
Or Deliver To: Transportation Office
Laurel Court
Fairmont Hotel

To expedite return air-priority reservations with a minimum of delay and error, it is requested that applications for air priority be submitted on the form "Application for Air Priority", which can be obtained from the Special Assistants on Delegation Liaison.

RETURN OF EXCESS DOCUMENTS

It will be appreciated if delegation and Secretariat offices will assemble any excess copies of Conference documents which they no longer require and return them to window No. 1 at the Documents Distribution Office on the fourth floor of the Veterans Building. The return of excess copies of documents at frequent intervals will permit redistribution of such documents and may obviate the need for duplicating additional copies.

Offices which may wish to reduce the number of copies of documents which they receive daily are requested to communicate such instructions by memorandum to the Documents Distribution Officer.

LIST OF CONFERENCE DELEGATES AND OFFICIALS

It is planned to issue shortly a definitive edition of the booklet entitled, *Officers of the Conference, Committees and Commissions of the Conference, Members of the Delegations, Officers of the Secretariat.*

Changes which have already been requested by the delegations will be included in the definitive list. Additional changes desired by the delegations should be sent to the Conference Editor by Saturday, May 26, 1945 (Room 439, Veterans Building; phone: IN 3300, ext. 97).

NOTICE

Document 443 (Russian), II/2/19 (Summary of Ninth Meeting of Committee II/2), is being reissued. It is requested that the new copy, when received, be substituted for the earlier one, from which page 3 was inadvertently omitted.

UNITED NATIONS THEATER

260 O'Farrell Street

(Between Powell and Mason)

Thursday, May 24
8:45 p. m. only

8:45 p. m. Newsreel

9:05 p. m. *Those Endearing Young Charms* (Studio preview) Robert Young and Larraine Day in a RKO romance

11:00 p. m. Repeat showing of Newsreel

Admission free to persons holding Conference credentials, including delegation staffs, Secretariat staffs, and members of the press.

DOCUMENTARY FILMS

On Thursday, May 24, in the Conference Theater at the Sir Francis Drake Hotel, films of France and Norway will be shown.

The Norwegian film, *Return of the Viking*, is a story film made in England during the occupation of Norway, featuring Norwegian soldiers and sailors who escaped to England to fight their way back to their native land. The French films for the evening are *Cité Universitaire* and *Profile of France*.

The showings are open to all persons accredited to the Conference and are continuous from 7 p. m. to midnight.

LIST OF DOCUMENTS

The list of documents issued May 22, 1945 is Document 537.

The United Nations Conference on International Organization

JOURNAL

NUMBER 27 SAN FRANCISCO, CALIFORNIA MAY 25, 1945

ORDER OF THE DAY
May 25, 1945

Committee	Time	Room (Vet. Bldg.)
II/4/A	9:30 a.m.	311
I/1/A	10:30 a.m.	314
II/1	10:30 a.m.	303
II/3/A	10:30 a.m.	316
III/1	10:30 a.m.	223
IV/2/A	10:30 a.m.	202
III/2/C	2:30 p.m.	314
II/2/B	3:00 p.m.	202
I/2/D	3:30 p.m.	316
II/3	3:30 p.m.	223
III/2/B	3:30 p.m.	219
III/3	6:00 p.m.	223
I/2	8:30 p.m.	303
II/2	8:30 p.m.	202

These meetings will not be open to the public.

TECHNICAL COMMITTEES

Committee III/1, on May 23, considered Chapter VI, Section B, of the Dumbarton Oaks Proposals, on "The Principal Functions and Powers" of the Security Council. A Norwegian amendment to delete the word "principal" from the title of the section was referred to the Coordination Committee as a drafting matter. A final sentence, proposed by Canada, was added to paragraph 1 by unanimous decision. The sentence reads as follows: "The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration". Chapter VI, Section B, paragraph 1, of the Dumbarton Oaks Proposals, with this amendment, was adopted by a vote of 40 to 0.

In the discussion of paragraph 2, a proposal was made to introduce into this paragraph more specific rules of conduct than those implied in the requirement that the Council "act in accordance with the purposes and principles of the Organization." The proposed amendment was defeated, it having been pointed out by various delegates that the principles and purposes of the Dumbarton Oaks Proposals as already amended were broad enough to cover the contingencies in question. The original Dumbarton Oaks text of paragraph 2 was then approved by a vote of 26 to 0.

Paragraph 3, stating that specific powers conferred on the Security Council are laid down in Chapter VIII, was also approved by a vote of 30 to 0, no amendments having been offered.

While some proposed amendments to paragraph 4 concerning the obligation of members to accept the decisions of the Council were withdrawn, others were still under discussion when the meeting was adjourned. No action, therefore, was taken on this paragraph.

Committee IV/2, on May 23, discussed several motions on the question whether the Charter should provide for the initiation of studies and the making of recommendations with a view to the development of international law. Since all these motions had as their object the avoidance of duplication of the work of Committee II/2, which has answered the question in the affirmative, after discussion the motions were withdrawn and no action was taken.

The Committee also discussed several proposals for a Charter provision giving international juridicial status to the Organization. It appeared from the discussions that the Committee was in agreement on the principle of the Belgian proposal, which would provide juridicial status for the Organization. The whole question has been referred to the subcommittee.

Committee I/2, on May 24, continued its discussion of Chapter X (Secretariat). Delegates debated the questions of term of office and eligibility for reelection of the Secretary General. The Committee rejected a proposal to omit reference in the Charter to the term of office. A motion to make the term of office five years went by default as

the Committee voted in favor of a three-year term with provision for the eligibility of the incumbent Secretary General for reelection.

The Committee took up the question of providing in the Charter for deputy secretaries general. A motion to include reference in the Charter to deputy secretaries general resulted in a roll call vote of 15 in favor to 13 opposed. The Committee postponed until its next meeting the vote on the amendment of the sponsoring governments for the creation of five deputy secretaries general.

Committee II/2, on May 24, continued its consideration of the questions of principle which had been formulated by Subcommittee A relating to Chapter V, Section B, paragraph 6.

Question E.1, based particularly upon a proposed amendment submitted by the Belgian Delegation, was debated and, at the request of the Belgian representative, was put to a roll-call vote. The text of the question follows:

"Should the General Assembly be empowered to submit general conventions for the consideration of states which form part of the United Nations Organization and, should the occasion arise, for the consideration of other states, with a view to securing their approval in accordance with their appropriate constitutional procedures?"

There were 25 affirmative votes and 13 negative. Since, under the rules of procedure, an affirmative vote of two-thirds of those present and voting is required on non-procedural questions (making necessary 25 1/3 votes to carry the question with 38 voting) the question failed of approval.

The group of four questions under E.2 was discussed and then the questions were voted upon with the following results:

"Should the General Assembly have the power of imposing conventions when, in its opinion, these are mere corollaries of principles it already recognizes as compulsory, or when it believes that the general observance of the obligations embodied in the conventions is necessary for the maintenance of international peace and security?" Negatived.

"Should this power also be extended to include other conventions?" Negatived.

As regards member states, should the Assembly have the power to decide that such conventions shall come into force under the same conditions that may be provided for the coming into force of amendments to the Charter?" Negatived.

"Should the General Assembly have the power to impose such conventions on non-member states?" Negatived.

At the meeting of Committee II/3 on May 24, the Delegate of the United States withdrew the proposed United States amendment to the draft of Chapter IX, Section A, paragraph 1, which had been approved by the Committee. The proposed amendment was designed to make clear that the Economic and Social Council would not interfere in the domestic affairs of any member country. After the discussion at the last meeting the United States Delegation now felt that its purposes would be adequately served if the following words were included in the report of the Rapporteur:

"The members of Committee 3 of Commission II are in full agreement that nothing contained in Chapter IX can be construed as giving authority to the Organization to intervene in the domestic affairs of member states."

It was moved by the Delegate of Australia and seconded by the Delegate of France that the Rapporteur be instructed to include these words. This motion was carried unanimously (37 to 0).

The Committee then discussed the third report of its drafting subcommittee, which superseded the second report. The following recommendations made in the report were unanimously adopted:

1. Chapter IX, Section C, was approved in amended form.

2. Chapter V, Section B, paragraph 7. The words "cultural, health" should be added after the word "social".

3. Chapter V, Section B, paragraph 7 (1). New paragraph. "The General Assembly should examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned."

4. That Committee II/1 be asked to consider whether the provisions of Chapter V, Section B, paragraph 5, were broad enough to cover the variety of financial and budgetary arrangements which it might be necessary to make with existing and future specialized agencies.

It was proposed by the Greek Delegation that the Economic and Social Council should assist in reconstruction of war-devastated areas. This proposal met with considerable support in the Committee, and the Chairman instructed the drafting subcommittee to consider this question. There was also some general discussion for the guidance of the drafting subcommittee on the question of dealing with the problem of access to raw materials and production goods.

Committee III/3, on May 24, began consideration of the general problem of military sanctions and the composition of national contingents and of the Military Staff Committee.

At the request of one of the delegates of the sponsoring governments, voting was postponed on the French and Australian amendments to Chapter VIII, Section B, paragraph 6, which would make possible the placing at the disposition of the Council

mended French and English texts for incorporation in the Charter provisions on the General Assembly.

The Committee unanimously recommended with 29 votes and sent to the Coordination Committee the text of Chapter V, Section A, Composition, which reads as follows:

"The General Assembly shall consist of representatives of the members of the organization. Each member may have not more than five representatives of the members of the Organization. left in abeyance the exact number of representatives to sit in the General Assembly.

The Committee unanimously recommended with 28 votes and sent to the Coordination Committee Chapter V, Section B, paragraph 2 to read as follows:

"The General Assembly may admit new members to the Organization upon the recommendation of the Security Council."

The Committee unanimously recommended with 30 votes and sent to the Coordination Committee Chapter V, Section B, paragraph 4, to read as follows:

"The General Assembly shall elect the nonpermanent members of the Security Council and the members of the Economic and Social Council. It shall elect the Secretary General of the Organization upon the recommendation of the Security Council, made by an affirmative vote of seven members. The General Assembly shall participate in the election of the judges of the International Court of Justice in accordance with the provisions of the Statute of the Court."

In explanation of the provisions of this paragraph, providing for the election of the Secretary General, the Committee reported to the Coordination Committee that the provision for the method of election of the Secretary General of the Organization is intended to mean that he should be elected by a majority of any seven members of the Security Council, not requiring the concurrent votes of the five permanent members. The Committee, in its report to the Coordination Committee, also called attention to the fact that another Committee (III/1) has recommended two definite criteria by which the General Assembly should be guided in electing the members of the Security Council:

(1) That due regard be paid to the contribution of members of the Organization toward the maintenance of peace and security and toward the other purposes of the Organization, and

(2) That due regard be paid also to equitable geographical distribution.

These criteria are so general in character that Committee II/1 suggested that it may be necessary in the final draft of this article of the Charter to include some such phrase as: "according to the rules adopted" after the word "elect", in order to define more clearly the way in which the General Assembly may comply with the provisions of Chapter VI, Section A.

The Committee considered a recommended text of Chapter V, Section B, paragraph 5, on apportionment of expenses and approval of the budgets of the Organization. The Secretary read a communication from Committee II/3 asking that Committee II/1 consider whether the terms of Chapter I, Section B, paragraph 5, in the preliminary form in which they were being considered were broad enough to cover the variety of financial and budgetary arrangements which it may be necessary to make with existing and future specialized agencies. The Committee thereupon referred the whole question of budgets back to the drafting subcommittee instructing it to confer with representatives of II/3.

Committee II/3, on May 25, received a proposal from the French Delegate that the member delegates convene within the next few months a general conference to draw up the statute of an international organization on mutual cooperation. Wide support was expressed for this proposal.

The Committee then considered the portion of the third report of its drafting subcommittee carried over from the last meeting. This was a recommendation that there be added after paragraph 1 of Chapter IX, Section A, of the Dumbarton Oaks Proposals, the following new paragraph:

"All members pledge themselves to take separate and joint action and to cooperate with the Organization and with each other to achieve these purposes."

The Delegate of the United States pointed out that the wording was somewhat repetitious and suggested that a better draft might be put before the Committee. On motion by the Delegate of Australia, the Committee decided to approve the substance of the recommendation but to ask the drafting subcommittee to attempt a restatement that would meet the objection of the United States Delegate.

The Rapporteur, Mr. Manuel Noriega Morales, of Guatemala, then presented the fourth report of the drafting subcommittee with drafts on Chapter IX, Section B, and Chapter V, Section B, paragraph 6. The report with these texts was approved unanimously.

The Committee then considered a communication from Committee III/4 requesting advice as to whether any provision concerning regional forms of social and economic cooperation should be included in the text of Chapter VIII, Section C. There was referred to the drafting subcommittee the task of working out language which would

provide that any such regional forms of cooperation should be consistent with the general principles set forth in Chapter IX.

At the invitation of the Chairman, Mr. Frank L. McDougall, representing the United Nations Interim Commission on Food and Agriculture, presented a statement on the experience of the Interim Commission and its role in the United Nations Organization.

Committee III/1, on May 25, considered a Belgian amendment to Chapter VI, Section B, paragraph 4, of the Dumbarton Oaks Proposals, to insert after the words "Security Council" the following: "taken under Chapter VIII", so that the paragraph would read:

"All members of the Organization should obligate themselves to accept the decisions of the Security Council *taken under Chapter VIII* and to carry them out in accordance with the provisions of the Charter".

It was the intention in inserting these words to clarify and make more precise the obligations which the members of the Organization were to undertake. The proposal was rejected, but questions raised by Canada and Australia as to the interpretation of the phraseology were referred to the Drafting Committee for its consideration. Paragraph 4 in its original form was then approved unanimously.

The Committee then proceeded to examine amendments proposed to Chapter VI, Section B, paragraph 5, of the Dumbarton Oaks Proposals. It rejected an amendment by which the production of armaments would be exclusively reserved to governments and unanimously approved the paragraph in its original form.

The Committee then considered two proposals presented by Norway for adding paragraphs to Section B. The first proposal was to give the Security Council the power to enforce the execution of any final decisions in a dispute delivered by the Permanent Court of International Justice or by any other tribunal whose jurisdiction in the matter had been recognized by the parties to the dispute. This proposal was rejected. The second proposal, which provided for the election of judges to the Permanent Court of International Justice by the Security Council, is now being dealt with by Committee 1 of Commission IV and was accordingly referred to it without vote.

Since the Committee had now completed consideration of all items not connected directly or indirectly with the voting question, it was agreed that there should be no meeting on May 26 pending the report of the subcommittee on this question.

Commitee III/3, on May 25, approved an amendment to Chapter VIII, Section B, paragraph 9, as previously amended by the Committee, to provide for consultation with regional agencies in the formation of regional subcommittees of the Military Staff Committee.

The original text of paragraph VIII, B, 9, is now amended by the addition of the following sentence:

"The Military Staff Committee, with the authorization of the Security Council, after consultation with the regional agencies, may establish regional subcommittees of the Military Staff Committee."

Another amendment to accomplish a similar purpose was thereupon withdrawn.

A revised text of paragraphs 1 and 2 of Chapter VIII, Section B, prepared by a subcommittee, was presented for discussion and was withdrawn by the subcommittee in favor of a simplified text offered by one of the sponsoring governments. This new text will be further considered at the next meeting of the Committee on May 26 and it is expected that a vote will be taken.

INDEX AND REFERENCE SERVICE

The Index Section of the International Secretariat maintains a complete index by topic and by delegation, to all Conference documents, press releases, and other materials distributed to the delegations. It also maintains a reference service and is in a position to supply complete references and a brief analysis of materials on any subject covered in the Conference documentation. This service is provided for members of delegations and officers of the Secretariat.

The Index Section, located on the fourth floor of the Veterans Building, is open from 9 a. m. to 10 p. m., and can be reached by phone at IN 3300, ext. 356.

LIST OF CONFERENCE DELEGATES AND OFFICIALS

Delegations which desire changes to be included in the forthcoming definitive edition of the booklet entitled, *Officers of the Conference, Committees and Commissions of the Conference, Members of the Delegations, Officers of the Secretariat* may communicate such changes *not later than today*, May 26, 1945, to the office of the Conference Editor (Room 439, Veterans Building; phone IN 3300, ext. 97.)

LIST OF DOCUMENTS

The list of documents issued May 23, 1945 is Document 590.

UNITED NATIONS THEATER

260 O'Farrell Street
(Between Powell and Mason)

Saturday, May 26
8:45 p.m. only

8:45 p.m. Newsreel

9:05 p.m. Preview of J. Arthur Rank's **Colonel Blimp** (Archer's production in technicolor)

11:33 p.m. Repeat showing of Newsreel

Sunday, May 27
8:45 p.m. only

8:45 p.m. Newsreel

9:05 p.m. **Alexander Nevsky** (Produced by Mosfilm Studio, U. S. S. R. Directed by Sergei Eisenstein. Title roles played by Cherkassov and Okhlobkov. With English titles.)

10:45 p.m. **Maydanek** (with English narration)

10:55 p.m. Repeat showing of Newsreel

Admission free to persons holding Conference credentials, including delegation staffs, Secretariat staffs, and members of the press.

No Journal will be issued on Sunday, May 27. The next issue of the Journal, No. 29, will be issued on Monday, May 28.